

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:)	Judge Russ Kendig
)	Chapter 7
Dennis Eugene Maynard)	Case No. 13-62374
Goldie Eileen Maynard)	
Debtor.)	MOTION TO REDEEM

Now come Debtors, Dennis and Goldie Maynard, by and through counsel, Nicole L. Rohr, and hereby move to redeem tangible personal property pursuant to 11 U.S.C. § 722 and Federal Rule of Bankruptcy Procedure 6008. The item to be redeemed is a 2003 Dodge Durango, intended primarily for personal, family or household use.

Debtors filed a petition under Chapter 13 of Title 11 of the United States Code on September 26, 2013. Debtor's plan was confirmed on August 7, 2014 establishing a cram down value of \$2,947.00 for the 2003 Dodge Durango. Listed in Schedule D was a debt owing Santander Consumer USA in the amount of \$10,403.09. The debt to Santander Consumer USA is secured by the 2003 Dodge Durango. The Debtors paid in full the \$2947.00 plus interest prior to the conversion of this case to a chapter 7 on January 26, 2016.

Pursuant to 11 U.S.C. § 722, the interest of the Debtor in the vehicle is either exempt under 11 U.S.C. § 522 and/or the property has been abandoned under 11 U.S.C. § 554. Further, the debt is a dischargeable consumer debt within the meaning of § 722.

The allowed secured value of Santander Consumer USA for the purposes of redemption, the "redemption value," should be determined to be not more than \$2947.00 which was determined to be the replacement value in the chapter 13 case. The Debtors have already paid the aforesaid amount in the Chapter 13 case. Should this motion be granted, Santander Consumer USA shall forward to the Debtors within 30 days their title without any further payment to be made.

Wherefore, Debtors request the Court enter an order approving Debtor's motion to redeem the vehicle; order Santander Consumer USA to accept the payments in the Chapter 13 as full satisfaction of the redemption value; and order release of Santander Consumer USA's lien. Debtors also pray for such other relief as may be just and appropriate.

Respectfully Submitted:

/s/Nicole L. Rohr
Nicole L. Rohr (#0078316)
Thrush & Rohr, L.L.C.

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Counsel for Debtor

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NOTICE OF MOTION TO REDEEM

Debtors have filed a motion to redeem tangible personal property in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have any attorney, you may wish to consult one.)

If you do not want the court to grant the relief requested, or if you want the court to consider your views on the motion, then on or before **April 25, 2016** you or your attorney must:

File with the court a written response, explaining your position, and request a hearing, at:

United States Bankruptcy Court,
Ralph Regula Federal Building,
401 McKinley Avenue SW,
Canton, Ohio 44702

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date state above.

You must also mail a copy to:

Nicole L. Rohr
Thrush & Rohr, L.L.C.
4410 22nd Street NW
Canton, Ohio 44708

If you or your attorney do not take these steps, the court may decide that you do

not oppose the relief sought in the motion and may enter an order granting that relief.

Date: March 25, 2016

Signature: /s/Nicole L. Rohr

Name: Nicole L. Rohr

4410 22nd Street NW

Canton, Ohio 44708

CERTIFICATE OF SERVICE

I certify that on March 25, 2016, a true and correct copy of Debtor's Motion to Redeem was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Nicole L. Rohr nicole@thrushandrohr.com,
 office@thrushandrohr.com;thrushrohr@gmail.com
- United States Trustee (Registered address)@usdoj.gov

And by Regular Mail:

Santander Consumer USA

PO Box 961245

Fort Worth TX 76161

/s/Nicole L. Rohr

Nicole L. Rohr

Attorney for Debtors